

CLERK OF COURT  
LAFAYETTE PARISH, LA

2019 JUN 28 AM 11:49

STATE OF LOUISIANA

\*

DOCKET NO.: 16-CR-159455

VERSUS

\*

15<sup>TH</sup> JUDICIAL DISTRICT COURT

BRIAN POPE

\*

PARISH OF LAFAYETTE

\*

STATE OF LOUISIANA

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**MOTION FOR POST-CONVICTION  
& SENTENCING BAIL**

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NOW INTO COURT, through undersigned counsel, comes the Defendant Brian Pope, who, pursuant to Louisiana Code of Criminal Procedure Article 312 (F), moves this Court to set Post-Conviction bail:

1.

In the above captioned case, Brian Pope was sentenced by this Court on June 20<sup>th</sup>, 2019. The Court sentenced Mr. Pope to a 3-year sentence, all of which was suspended except for one year, which the Court ordered Mr. Pope to serve in the Lafayette Parish Prison. The Court also ordered restitution, Court costs, and community service.

2.

This Court gave Mr. Pope a self-surrender date of June 28<sup>th</sup>, 2019 at 12 o'clock noon.

3.

Louisiana Code of Criminal Procedure Article 312 (F) reads: "After sentence, and until final Judgment, bail shall be allowed if a sentence of 5 years or less is actually imposed."

4.

As this Court is aware, Mr. Pope has been out on bond for the duration of this case. He has never missed a Court date and has violated no conditions of bond.

5.

Based on the above, including the fact that the entitlement to bail after sentence for a sentence of less than 5 years is mandatory, Mr. Pope requests that the Court set a post-conviction bail bond while Mr. Pope pursues his appeal with the Third Circuit Court of Appeal.

6.

The District Attorney's Office opposes this Motion.

**RESPECTFULLY SUBMITTED  
BY ATTORNEYS:**

**WALTERS, PAPILLION, THOMAS,  
CULLENS, LLC**

  
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**CERTIFICATE OF SERVICE**

I certify that a copy of this document was ( ) mailed (X) faxed and mailed

(X) e-mailed ( ) hand-delivered or ( ) caused to be delivered by placement in the District

Attorney's box at the Clerk of Court's office for distribution to the ADA assigned to the case on  
the 28th day of June, 2019.

  
JOHN S. MCLINDON

STATE OF LOUISIANA \* DOCKET NO.: 16-CR-159455  
VERSUS \* 15<sup>TH</sup> JUDICIAL DISTRICT COURT  
\* PARISH OF LAFAYETTE  
BRIAN POPE \* STATE OF LOUISIANA

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**ORDER**

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CONSIDERING THE FOREGOING MOTION, it is hereby ORDERED that pursuant to Louisiana Code of Criminal Procedure Article 312 (F), this Court sets the post-conviction bond of Brian Pope in the amount of \$ 25,000<sup>00</sup>.

Lafayette, Louisiana, this 28 day of June, 2019.

  
HONORABLE JUDGE DAVID SMITH  
15<sup>TH</sup> JUDICIAL DISTRICT COURT

LA C.C.P. states the Court shall set bail<sup>000</sup>, therefore bail is set as above with the following conditions:

- 1) Curfew from 8pm - 6am except for any working hours
- 2) GPS monitoring

CLERK OF COURT  
LAFAYETTE, LA  
FILED THIS DAY

JUN 28 2019



DY. CLERK OF COURT

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JUDGE SMITH

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LAFAYETTE PARISH, LA

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STATE OF LOUISIANA	*	DOCKET NO.: 16-CR-159455
VERSUS	*	15 <sup>TH</sup> JUDICIAL DISTRICT COURT
BRIAN POPE	*	PARISH OF LAFAYETTE
	*	STATE OF LOUISIANA

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